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11 W2005 NEW CENTURY  
12 HOTEL PORTFOLIO, L.P.

13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA

15 ROBERT MCCARTHY,

16 Plaintiff,

17 vs.

18 W2005 NEW CENTURY HOTEL  
19 PORTFOLIO, L.P., and DOES 1-10,  
20 inclusive,

21 Defendants.

CASE NO. C07-05859-JW

**STIPULATED DISMISSAL**

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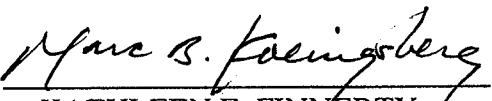
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STIPULATED DISMISSAL

1 IT IS HEREBY STIPULATED, by and between the parties to this action, through their  
2 respective counsel, that this action be dismissed with prejudice pursuant to Rule 41(a)(1) of the  
3 Federal Rules of Civil Procedure. The parties shall each bear their own respective attorney's  
4 fees and costs in connection with this action.

5 DATED: January 21, 2009 GREENBERG TRAURIG, LLP

6  
7 By:   
8 KATHLEEN E. FINNERTY  
9 MARC B. KOENIGSBERG  
10 Attorney for Defendant  
11 W2005 NEW CENTURY HOTEL PORTFOLIO, L.P.

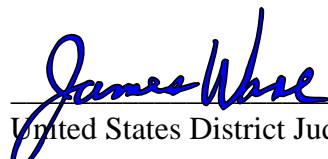
12 DATED: January 20, 2009

13  
14 By:   
15 DAVID WAKEFIELD  
16 Attorney for Plaintiff  
17 ROBERT MCCARTHY  
18

19 **IT IS SO ORDERED:**

20 The Court terminates all pending deadlines, hearings and motions. The Clerk shall close this  
21 file.

22 Dated: February 6, 2009

23   
24 United States District Judge  
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